

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

JAY PATRICK MELLEN,	)	
Plaintiff,	)	
	)	
v.	)	C.A. No. 10-10432-JLT
	)	
ATTORNEY RICHARD A. LALIME, et	)	
al.,	)	
Defendants.	)	

MEMORANDUM AND ORDER OF DISMISSAL

On March 11, 2010, plaintiff filed his self-prepared Complaint seeking damages for harm caused by the alleged actions of a Massachusetts attorney and an unnamed doctor identified in the complaint as Dr. Doe. On May 5, 2010, a Memorandum and Order (#7) issued, directing plaintiff to show cause within 35 days why this action should not be dismissed for lack of subject matter jurisdiction.

Since that time, Plaintiff filed several documents and motions. See Docket Nos. 8, 11, 12, 13 and 14. Summonses were issued by the Clerk on May 19, 2010. See Docket No. 9 (return of service). Defendant LaLime's attorney filed an appearance. See Docket No. 10.

Plaintiff's Reply simply restates the facts as alleged in his original complaint. See Docket No. 11. Plaintiff's show cause reply reasserts the allegations that attorney Lalime and Dr. Doe conspired to poison plaintiff. He again asserts that this action is brought pursuant to the United States Constitution and 42 U.S.C. § 1985.

After carefully reviewing plaintiff's response, I find that plaintiff has failed to demonstrate any reason why this action should not be dismissed. He failed to demonstrate that this Court has either diversity or federal question jurisdiction over the alleged dispute. Thus, this case is subject to summary dismissal.

ORDER

ACCORDINGLY, in accordance with this Court's order dated May 10, 2010, and the plaintiff not having shown good cause why this case should not be dismissed pursuant to 28 U.S.C. § 1915(e)(2), it is ORDERED that the within action be and it is hereby DISMISSED in its entirety. The Clerk shall terminate all pending motions. This order constitutes a final order of dismissal. No separate order of dismissal will issue.

SO ORDERED.

August 3, 2010  
DATE

/s/ Joseph L. Tauro  
JOSEPH L. TAURO  
UNITED STATES DISTRICT JUDGE